

NOTICE OF APPEAL

PATENT

File No. A31064A 070165.0461

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Podos et al.

Serial No. : 09/073,552 Examiner : Fay, Z.

Filed : May 6, 1998 Group : 1644

For : 8-ISO-PROSTAGLANDINS FOR GLAUCOMA THERAPY

#10
JRP
11/2/99NOTICE OF APPEAL FROM PRIMARY EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCESAssistant Commissioner for Patents
Washington, DC 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner, mailed July 20, 1999 finally rejecting claims 1-21.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

 other than a small entity small entity

Verified statement

 attached already filed on August 26, 1998.CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 20, 1999.

Date of Deposit

Lisa B. Kole

Attorney Name

Lisa B. Kole

Signature

35,225

Registration No.

Oct 20, 1999

Date of Signature

10/25/1999 SLUANG1 00000037 09073552

01 FC:219

150.00 OP

NY02:227707.1

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. 1.17(e) the fee for filing the Notice of Appeal is

- | | | |
|-------------------------------------|---------------------------|----------|
| <input checked="" type="checkbox"/> | small entity | \$150.00 |
| <input type="checkbox"/> | other than a small entity | \$300.00 |

Notice of Appeal Fee due \$150.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a)[] Applicant petitions for an extension of time under 37 CFR 1.136 (check below the total number of months of extension requested):

	Extension <u>(months)</u>	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
[]	one month	\$ 110.00	\$ 55.00
[]	two months	380.00	190.00
[]	three months	870.00	435.00
[]	four months	1,360.00	680.00

Fee \$__

(check and complete the next item, if applicable)

- [] An extension for _ months has already been secured and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$__

or

- (b)[X] In the event that an extension of time is required, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. TOTAL FEE DUE

The total fee due is

Notice of Appeal fee \$150.00
Extension fee (if any) \$

TOTAL FEE DUE \$ 150.00

5. FEE PAYMENT

- Attached is a check in the sum of \$ 150.00.
 Charge Deposit Account No. 02-4377 the sum of \$__.

6. FEE DEFICIENCY

- The Commissioner is hereby authorized to charge payment of any additional fees required associated with this communication to Deposit Account No. 02-4377. Two copies of this sheet are provided for this purpose.

Respectfully submitted,



Richard S. Clark
Patent Office Reg. No. 26,154

Lisa B. Kole
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30 Rockefeller Plaza
New York, NY 10112

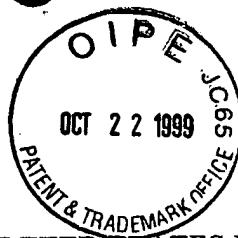
Attorneys for Applicant(s)
(212) 408-2628

Enclosure(s)

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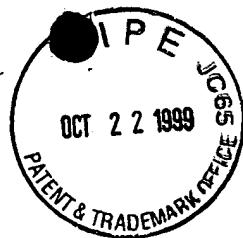


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